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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 BRIAN BALLENTINE, an individual;
11 CATALINO DAZO, an individual; and
12 KELLY PATTERSON, an individual;
13 Plaintiffs,
14 vs.

Case No.: 2:14-cv-01584-APG-EJY

15 LAS VEGAS METROPOLITAN POLICE
16 DEPARTMENT, in its official capacity;
17 DETECTIVE CHRISTOPHER T. TUCKER,
18 as an individual and in his official capacity as
19 a Las Vegas Metropolitan Police Department
20 Detective; SERGEANT MIKE WALLACE,
21 as an individual and in his official capacity as
22 a Las Vegas Metropolitan Police Department
23 Sergeant; LIEUTENANT JOHN LIBERTY,
24 as an individual and in his official capacity as
25 a Las Vegas Metropolitan Police Department
26 Lieutenant,
27 Defendants.

STIPULATION AND ORDER TO
EXTEND THE DEADLINE TO FILE
THE PRE-TRIAL ORDER
(FOURTH REQUEST)

28 Plaintiffs Brian Ballentine, Catalino Dazo, and Kelly Patterson (“Plaintiffs”), by
and through their counsel Margaret A. McLetchie, Esq. and Defendant Detective
Christopher Tucker, by and through his counsel Craig R. Anderson, Esq., hereby stipulate
and agree to extend the current deadline to file a Joint Pretrial Order of July 22, 2022, by
fourteen (14) days, up to and including August 5, 2022.

In an April 21, 2022, Order on Mandate (ECF No. 258), this Court set the deadline
to submit a Proposed Joint Pretrial Order by May 20, 2022. As reflected in this Court’s May
19, 2022, Order (ECF No. 260) the parties stipulated to a three-week extension of this

1 deadline. As further reflected in this Court's June 10, 2022, Order (ECF No. 262) the parties
 2 stipulated to another three-week extension of this deadline. As further reflected in this
 3 Court's June 30, 2022 Order (ECF No. 264) the parties stipulated to another three-week
 4 extension of this deadline.

5 The parties are working together on a draft of the Pretrial Order and agree that the
 6 requested extension of this deadline is necessary because staff absences due to illness, as
 7 well as the caseloads and other responsibilities of counsel for Plaintiffs, have not allowed
 8 them sufficient time to prepare the Joint Pretrial Order by the current deadline. Specifically,
 9 the parties require more time to meet and confer regarding potential trial dates, witnesses,
 10 and exhibits.

11 It is notable that a trial date has not yet been set in this matter, and as such, the trial
 12 will not need to be postponed due to the requested extension. This is the fourth request for
 13 an extension of this deadline since this case was remanded to this Court from the Ninth
 14 Circuit Court of Appeals. This extension is being sought in good faith and not for the
 15 purpose of delay.

16 DATED this 22nd day of July, 2022.

DATED this 22nd day of July, 2022.

17 /s/ Margaret A. McLetchie

/s/ Craig R. Anderson

18 Margaret A. McLetchie, Esq.

Craig R. Anderson, Esq.

19 Nevada Bar No. 10931

Nevada Bar No. 6882

20 MCLECHIE LAW

MARQUIS AURBACH

21 602 South Tenth Street

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Las Vegas, NV 89145

Attorney for Plaintiffs

Attorney for Defendant

22 **ORDER**

23
 24 **IT IS SO ORDERED:**

25 
 26 UNITED STATES MAGISTRATE JUDGE

27 Dated this 25th day of July, 2022.